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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/765,555
	Filing Date	January 19, 2001
	First Named Inventor	Carlos F. BARBAS
	Group Art Unit	1638
	Examiner Name	Anne R. Kubelik
Total Number Of Pages In This Submission	13	Attorney Docket No. 278012001420

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ENCLOSURES (check all that apply)		
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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT	
Firm or Individual Name	Peng Chen Registration No. 43,543
Signature	
Date	March 10, 2003

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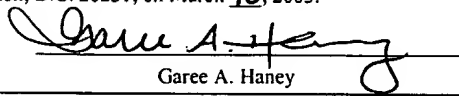
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Docket No. 278012001

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Garee A. Haney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Carlos F. BARBAS, III, et al.

Serial No.: 09/765,555

Filing Date: January 19, 2001

For: METHODS AND COMPOSITIONS TO
MODULATE EXPRESSION IN
PLANTS

Examiner: Anne R. Kubelik

Group Art Unit: 1638

INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

The documents Nos. 1-12 and 14, listed on the attached Form PTO-1449 were cited in a Search Report (copy attached) directed to a counterpart international or foreign application.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of * is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of * is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

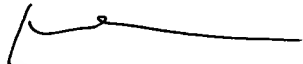
Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 278012001420. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: March 12, 2003

Respectfully submitted,

By: 
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